

27—13.63(161C) Eligibility for financial incentives.

13.63(1) *District cooperator.* Financial incentives will not be available for land not covered under a cooperator agreement. Application for district cooperator shall be made by submitting a completed Cooperator Agreement, Form SCD-1, to the district office. The district shall approve or deny the application and notify the applicant of the action within 60 days of receipt of the completed cooperator agreement.

13.63(2) *Ineligible lands or persons.*

a. Organic nutrient management program funds shall not be used to reimburse other units of government for implementing organic nutrient management practices.

b. Privately owned land not used for agricultural production shall not qualify for organic nutrient management program funds.

c. A person is not eligible to participate unless actively engaged in farming or is an individual family farm, a family farm corporation, family farm limited partnership, family farm trust, or family farm limited liability company.

d. A person is not eligible to participate who is a party to a legal or administrative action, including a contested case proceeding under Iowa Code chapter 17A, which relates to an alleged violation of Iowa Code chapter 455B involving the disposal of livestock waste, until the action is resolved.

e. A person shall not use moneys allocated to this program for purposes of paying a fine or civil penalty or for remediating or restoring the condition of an area contaminated by livestock waste.

13.63(3) *District priorities.* Each application for organic nutrient management program shall be evaluated under the priority system adopted by the district for disbursement of allocated funds. The priority system adopted by the district shall be made available for review at the district office.